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Paper No. 23

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**NOV 08 2002**

**OFFICE OF PETITIONS**

In re Application of :  
Dakai Liu et al. :  
Application No. 09/046,840 :  
Filed: March 24, 1998 :  
Attorney Docket No. ENZ56DIV3 :

**ON PETITION**

This is a decision on the petition under 37 CFR 1.137(b), filed October 28, 2002, to revive the above-identified application.

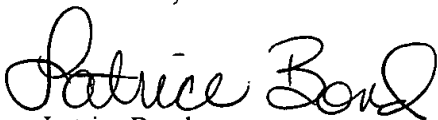
The petition is **GRANTED**.

The above-identified application became abandoned as a result of petitioner's failure to file an appeal brief (and fee required by 37 CFR 1.17(c)) within the time period provided in 37 CFR 1.192(a). As an appeal brief (and appeal brief fee) was not filed within two (2) months of the Notice of Appeal filed August 27, 2001, and no extension of time under the provisions of 37 CFR 1.136(a) were obtained, the appeal was dismissed and the proceedings as to the rejected claims were terminated. See 37 CFR 1.192(b) & 1.197(c). As no claim was allowed, the above-identified application became abandoned on October 28, 2001. See MPEP 1215.04.

The above-identified application is being revived solely for purposes of continuity with a continued prosecution application (CPA) filed on October 28, 2002.

Telephone inquiries concerning this decision should be directed to Latrice Bond at (703) 308-6911.

The application file is being forwarded to Technology Center AU 1635 for processing the CPA filed on October 28, 2002.



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For Patent Examination Policy